

Senate File 129 - Introduced

SENATE FILE 129

BY ZAUN, KETTERING, MCKINLEY,
ANDERSON, BERTRAND,
GREINER, CHELGREN, JOHNSON,
SORENSEN, BARTZ, SEYMOUR,
and WHITVER

A BILL FOR

1 An Act prohibiting the use of automated traffic enforcement
2 systems and requiring the removal of existing systems, and
3 including effective date provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.1, Code 2011, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 95. *"Automated traffic enforcement system"*
4 means a device with one or more sensors working in conjunction
5 with one of the following:

6 a. An official traffic-control signal, to produce recorded
7 images of motor vehicles entering an intersection against a
8 steady circular red light.

9 b. A speed measuring device, to produce recorded images of
10 motor vehicles traveling at a prohibited rate of speed.

11 c. A railroad grade crossing signal light, as described in
12 section 321.342, to produce images of vehicles violating the
13 signal light.

14 d. Any official traffic-control device, if failure to
15 comply with the official traffic-control device constitutes a
16 violation under this chapter.

17 Sec. 2. NEW SECTION. 321.5A **Automated traffic enforcement**
18 **systems prohibited.**

19 The department or a local authority shall not place or
20 cause to be placed on or adjacent to a highway, or maintain or
21 employ the use of, an automated traffic enforcement system for
22 the enforcement of any provision of this chapter or any local
23 ordinance relating to motor vehicles.

24 Sec. 3. **REMOVAL OF AUTOMATED TRAFFIC ENFORCEMENT SYSTEMS —**
25 **VALIDITY OF PRIOR NOTICES AND CITATIONS.** On or before July 1,
26 2011, a local authority using an automated traffic enforcement
27 system shall discontinue using the system and remove the system
28 equipment. Effective July 1, 2011, all local ordinances
29 authorizing the use of an automated traffic enforcement system
30 are void. However, notices of violations mailed or citations
31 issued pursuant to such an ordinance prior to July 1, 2011,
32 shall not be invalidated by the enactment of this Act and shall
33 be processed according to the provisions of the law under which
34 they were authorized.

35 Sec. 4. **EFFECTIVE UPON ENACTMENT.** The section of this

1 Act relating to the removal of automated traffic enforcement
2 systems and the validity of prior notices and citations, being
3 deemed of immediate importance, takes effect upon enactment.

4

EXPLANATION

5 This bill imposes a statewide prohibition on the use of
6 automated traffic enforcement systems and provides for the
7 termination of existing automated traffic enforcement programs.

8 The bill defines "automated traffic enforcement system"
9 as a device with one or more sensors working in conjunction
10 with an official traffic-control signal, a speed measuring
11 device, a railroad grade crossing signal light, or any other
12 official traffic-control device if failure to comply with the
13 traffic-control device would constitute a moving violation. An
14 automated traffic enforcement system records images of vehicles
15 violating an associated traffic control signal or device or
16 violating a speed limit. The definition includes within its
17 scope devices known as "red light cameras" and "speed cameras".

18 The bill prohibits the department of transportation and
19 local authorities from placing an automated traffic enforcement
20 system on or adjacent to a highway or maintaining or employing
21 the use of such a system for the enforcement of state or local
22 motor vehicle laws, effective July 1, 2011.

23 Local authorities that are currently using automated traffic
24 enforcement systems must discontinue their use and remove
25 related equipment on or before July 1, 2011. On that date,
26 all local ordinances authorizing the use of automated traffic
27 enforcement systems are void. However, notices of violations
28 that were mailed or citations which were issued prior to
29 July 1, 2011, are not invalidated by the bill and remain
30 enforceable. These provisions of the bill take effect upon
31 enactment.